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7 Attorney for Plaintiff
8 Nicolosi Distributing, Inc.

9
10 THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

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NICOLOSI DISTRIBUTING, INC.,)	Case No. C 053479 JSW
vs.)	STIPULATION FOR ORDER CONTINUING STATUS CONFERENCE; ORDER THEREON
FINISHMASTER, INC. (erroneously identified as FINISHMASTER AUTOMOTIVE & INDUSTRIAL PAINT))	
Defendant,)	

I. **NEED FOR CONTINUANCE**

The reason for this needed continuance is that plaintiff's counsel Herman Franck, Esq. has been scheduled to complete day two of a pending family law trial in Sacramento County Superior Court, which could only be set on Fridays. This trial will take the entire day.

The Court is also advised by Plaintiff's counsel Herman Franck, Esq. that Judgment in Nicolosi Distributing's favor in the amount of \$72,800 was issued by the Court in the other action pending in San Francisco Superior Court, Nicolosi Distributing v 19th Avenue Autobody Center Case No. 05-444230

There are currently pending a series of post judgment motions to modify the judgment, for attorneys fees, to tax costs, set for hearing on November 29, 2006 before the San Francisco Superior Court.

II.

Plaintiff Nicolosi Distributing, Inc. and Finishmaster, Inc, by and through counsel agree and stipulate that the court can issue an Order Continuing the December 1, 2006 Status Conference to December 8, 2006 at 1:30 pm in Courtroom 2.

1 SO STIPULATED:

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3 _____/s/ Herman Franck _____
4 Herman Franck, Esq.
Attorney for Plaintiff
Nicolosi Distributing Inc.

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7 Dated: November 6, 2006

8 _____/s/ Joseph Farrell _____
9 Joseph Farrell, Esq.
Attorney for Defendant
Finishmaster, Inc.

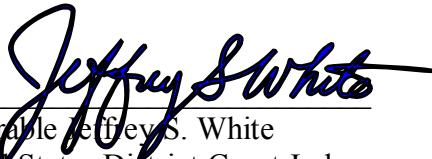
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11 Dated: November ___, 2006

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13 **ORDER BASED ON STIPULATION:**

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15 The Court accepts the forgoing stipulation of the parties, and hereby ORDERS that the status
16 conference set for December 1, 2006 is hereby CONTINUED to December 8, 2006 at 1:30 in
17 Courtroom 2.

18 Dated: November 21, 2006

19 SO ORDERED:

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21 Honorable Jeffrey S. White
United States District Court Judge